IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 1692 of 2007

DATE OF DECISION: 5.2.2007

Rattan Lal ....Petitioner.

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. Sandeep Bhardwaj, Advocate
for the petitioner.

J.S. Khehar, J. (oral)

The petitioner was appointed as a clerk-cum-typist in the office of the Public Works Department, Ferozepur, on ad hoc basis and is stated to have discharged his duties as such for a period of about six months from 12.6.1992 to 28.9.1992 and from 30.9.1992 to 27.12.1992. Thereafter the petitioner remained out of service for a period of about four years and claims to have been re-inducted against the same post on ad hoc basis on 16.1.1996 and discharged his duties as such till 30.8.1996 i.e. for a period of about 6 ½ months.

On the basis of the aforesaid service rendered by the petitioner, as well as, on the strength of a communication dated 26.10.1994 (Annexure P-3), the petitioner claims an appointment against the post of Junior Scale Stenographer. An extract of the communication dated 26.10.1994, copy whereof was despatched to the petitioner, is being reproduced hereunder:-

> " With reference to the above, the original case files of Ms. Renu daughter of Surjit Lal, Ms. Prem Lata daughter of Darshan Lal and Sh.Rattan Lal son of Sh.Hunta Ram for their appointments as Junior Scale Stenographers sent to you and now after a lapse of 3 years, it has been informed by you vide letter under reference that no appointment can be made by this department. But case files of these candidates have not been sent back. Therefore, it is stated that the original case files of aforementioned candidates be immediately sent to this office so that further action can be taken."

Having examined the claim of the petitioner in the totality of the circumstances, noticed hereinabove, we are satisfied, that the petitioner's prayer for appointment against the post of Junior Scale Stenographer is misconceived. Even if it is accepted, for the sake of argument, that the letter extracted hereinabove dated 26.10.1994, was in effect, as is sought to be contended by the petitioner, depictive of his appointment against the post of Junior Scale Stenographer, though the same is doubtful to us, the same cannot be the basis of a claim for appointment, as it is now well settled, that mere selection does not lead to an inevitable right for appointment.

For reasons recorded hereinabove, we find no merit in this petition and the same is, accordingly, dismissed.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

February 05. 2007.
vig